

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

HENRY LEE GRICE, JR.

PLAINTIFF

v.

Case No. 3:19-cv-00180-LPR

MARVIN LEFLORE, *et al.*

DEFENDANTS

ORDER

On February 9, 2021, the Court entered an Order granting Defendants’ Motion to Dismiss Mr. Grice’s civil RICO claim without prejudice.¹ The Court also dismissed Mr. Grice’s conspiracy and state law claims without prejudice.² The Court then noted that Separate Defendant Quala Services LLC had not yet appeared in the case. The Court directed “Mr. Grice to, within fourteen (14) days from the date of this Order, submit evidence showing that Quala has been served.”³ The Court warned Mr. Grice that if he failed to heed the Court’s instruction, “the Court may dismiss the claims against Quala under Federal Rule of Civil Procedure 4(m).”⁴

More than fourteen days have passed. Mr. Grice has not submitted any evidence showing that Quala was served. In fact, Mr. Grice has not responded to the Court’s instruction at all. Under Federal Rule of Civil Procedure 4(m), the Court may dismiss a defendant “on its own after notice to the plaintiff” if the defendant “is not served within 90 days after the complaint is filed.” Notice has been given by this Court. The Court has nothing to suggest that Quala was served at all, let alone within 90 days of the filing of the Complaint.

¹ Order Granting Defs.’ Mot. to Dismiss (Doc. 38) at 12.

² *Id.*

³ *Id.*

⁴ *Id.*

IT IS THEREFORE ORDERED that Quala Services LLC is DISMISSED WITHOUT PREJUDICE from this case. A corresponding Judgment will be entered.

IT IS SO ORDERED this 8th day of March 2021.

A handwritten signature in black ink, appearing to read 'Lee P. Rudofsky', is written over a horizontal line.

LEE P. RUDOFSKY
UNITED STATES DISTRICT COURT